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Customer No.**26874**

PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Appl. No. : 09/938,205 Confirmation No. 1187
Applicants : Myers *et al.*
Filed : August 23, 2001
Title : ANTIMICROBIAL
COATED METAL
SHEET
TC/A.U. : 1742
Examiner : King, Roy V.
Docket No. : 1606001/0482494
Customer No : 26874

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Supplemental Response

Dear Sir:

In response to the nonfinal Office Action, dated June 25, 2004, and *further* to the Applicant's Response and Amendment of September 24, 2004, please consider the following remarks.

Remarks

Claims 1-4, 7, 9-22, 24-28, 30-52, 56-64, and 66-73 have now been canceled. Claims 5,6,8,23,29,53-55 and 65 remain in the application.

In the earlier submitted Applicant's Response and Amendment of September 24, 2004 (*duplicate* attached for reference purposes), Applicant's included a Fee Transmittal Form (PTO/SB/17) authorizing payment of the extra claim fees.

However, Applicant's failed to include the separate credit card information and

09/29/2004 MAHME1 00000016 09938205

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774.00 0P

Appl. No. 09/938,205

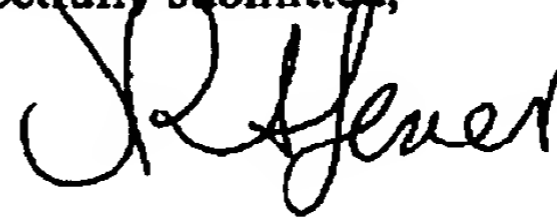
Suppl. Response dated Tuesday, September 28, 2004

Reply to Official Action of June 25, 2004

authorization on form PTO-2038. Applicants now submit herewith the completed credit card information and authorization on form PTO-2038 for payment of any extra claim fees due.

In view of the above, it is respectfully submitted that the claims as amended and presented before the Examiner are in condition for allowance. Accordingly, it is respectfully requested that a timely Notice of Allowance be issued in this case. It is believed that no extra fees are due for the claims. However, the Commissioner for Patents is authorized to charge any deficiency or credit any overpayment to Frost Brown Todd LLC Deposit Account No. 06-2226.

Respectfully submitted,



By

Stephen R. Albainy-Jenei
Registration No. 41,487
Attorney for Applicant(s)
FROST BROWN TODD LLC
2200 PNC Center, 201 East 5th Street
Cincinnati, Ohio 45202-4182
(513) 651-6839

Attachments:

Form PTO-2038

Copy of Amendment submitted September 24, 2004

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Appl. No. 09/938,205

Suppl. Response dated Tuesday, September 28, 2004

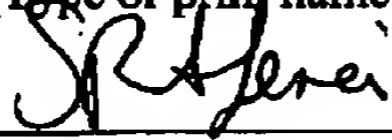
Reply to Official Action of June 25, 2004

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark
Office on the date shown below:

Stephen R. Albainy-Jenei

(Type or print name of person signing certification)



Signature

09/28/04

Date

FAX Telephone No.: (703) 872-9306

Attn: King, Roy V.

Art Unit No.: 1742

Serial No. 09/938,205

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SEP 28 2004

Application No.: 09/938,205 Of: Myers et al.

Title: ANTIMICROBIAL COATED METAL SHEET

Enclosures: Amendment; Fee Transmittal; Return postcard.

SRA/eam 1606001.0482494 September 24, 2004

Please place the official stamp of the Patent Office on this card and return it to us for our files to constitute an acknowledgment by this Patent Office of receipt on the date stamped of the above identified paper.

FROST BROWN TODD LLC

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PTO/SB/17 (10-03)

Approved for use through 07/31/2008. OMB 0651-0052
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**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**774.00**

Complete if Known

Application Number	09/938,205
Filing Date	8/23/2001
First Named Inventor	Myers et al.
Examiner Name	Ray King
Art Unit	1742
Attorney Docket No.	1606001.0482494

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit
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Deposit
Account
Name

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
13	-20** =	X	
12	-3** =	9	86
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**774.00**

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type)	Stephen R. Albainy-Jenei	Registration No. (Attorney/Agent)	41,487	Telephone	513-651-6839
Signature	<i>S. Albainy-Jenei</i>	Date	9-24-04		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Docket No. : 1606001/0482494
Customer No : 26874

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the nonfinal Office Action, dated June 25, 2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks begin on page 18 of this paper.